IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 993 OF 2006

Mohamed Hasteharun Haque ....Applicant.

V/s

The State of Maharashtra .....Respondent.

Mr. C.U. Golwala i/b V.N. Golwala & Co. for the applicant.

Ms. Rajeshree M. Gadhvi, APP for the State.

CORAM: V.M. KANADE, J.

DATE: 27th April, 2006

P.C.

1. Heard the learned Counsel for the applicant and the learned APP for the State.

2. The applicant was arrested on 30/1/2006 in connection with C.R. No. 17 of 2006 registered at Gamdevi Police Station for the offence punishable under section 120(b) read with sections 420, 465, 467, 468, 471 of the Indian Penal Code.

3. It is alleged that the applicant had applied for Visa at the Korean Counsulate and, on the same day, the co-accused Aalam also had made an application for Visa and had submitted the Bank Account and Bank

Statement of the State Bank of India, Hyderabad Branch in support of his application. The Korean Consulate, after verification of the documents, found that the said Bank Account and Bank Statement of the co-accused were bogus and false. When the applicant went to the Korean Consulate to collect the Visa of the co-accused, a complaint was lodged against both, the applicant and the co-accused and he was arrested.

4. The learned Counsel for the applicant submitted that the applicant has not forged any document and the only role of the present applicant was that he had gone to the Counsulate to collect the Visa of the co-accused. It is submitted that the charge-sheet is filed and the investigation is over.

5. The learned APP for the State has submitted that the address which is given by the applicant in the cause title of the application was verified and it was found that nobody is staying at the said address. The learned APP submitted that stringent conditions may be imposed if the applicant is released on bail.

6. Since the applicant has not forged any document and he had merely gone to collect the Visa of the co-accused on the letter of authority given by the

said accused, in my view, prima facie case is made out for grant of bail.

7. The applicant, therefore, be released on bail in the sum of Rs 10,000/- with one or two sureties in the like amount. One of the sureties may be a local surety. The applicant shall report to the Gamdevi Police Station once in a month. The applicant shall not tamper with the evidence or threaten any of the witnesses. The Trial is expedited.

8. Liberty is granted to the applicant to apply separately if he wishes to go abroad.

9. Application is disposed of in the above terms.

V.M. KANADE, J.